

PRECEDENTIAL

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 03-4033

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RICHARD WEISS, on behalf of himself  
and all others similarly situated,  
Appellant

v.

REGAL COLLECTIONS;  
LANCER INVESTMENTS, INC.

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On Appeal from the United States District Court  
for the District of New Jersey  
D.C. Civil Action No. 01-cv-00881  
(Honorable Alfred M. Wolin)

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Argued May 28, 2004

Before: SCIRICA, *Chief Judge*, FISHER and ALARCÓN\*, *Circuit Judges*

**ORDER AMENDING OPINION**

IT IS HEREBY ORDERED that the opinion in the above case, filed September 29, 2004, be amended as follows:

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\*The Honorable Arthur L. Alarcón, United States Circuit Judge for the Ninth Judicial Circuit, sitting by designation.

Page 4, first column, line 20, which read:

*Sibley v. Fulton Dekalb Collection Servs.*, 677 F.2d 830, 834 (11th Cir. 1982) (holding in dicta that equitable relief is not available to an individual under the Act.)

shall read:

*Sibley v. Fulton Dekalb Collection Servs.*, 677 F.2d 830, 834 (11th Cir. 1982) (noting that equitable relief is not available to an individual under the Act.)

Page 8, footnote 10, line 3: “arises” should be “arise.”

Page 14, footnote 19, line 1, which read:

To hold otherwise would automatically result in a plaintiff seeking class relief in a consumer representative action to file a motion for class certification at the time of filing the class complaint.

shall read:

To hold otherwise would predictably result in a plaintiff who seeks class relief in a consumer representative action filing a motion for class certification at the time of filing the class complaint.

BY THE COURT,

/s/ Anthony J. Scirica

*Chief Judge*

DATED: October 22, 2004